UNITED
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General Assembly

Distr.
GENERAL

A/RES/45/21
15 February 1991

Forty-fifth session
Agenda item 18

RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fourth Committee (A/45/685 and Corr.1)]

45/21. Question of Western Sahara

The General Assembly,

Having considered in depth the question of Western Sahara,

Recalling the inalienable right of all peoples to self-determination and independence, in accordance with the principles set forth in the Charter of the United Nations and in General Assembly resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples,

Recalling its resolution 44/88 of 11 December 1989,

Recalling resolution AHG/Res.104 (XIX) on Western Sahara, 1/ adopted by the Assembly of Heads of State and Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983,

Recalling also the agreement in principle given on 30 August 1988 by the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to the joint proposals of the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations with a view to the holding of a referendum for self-determination of the people of Western Sahara, organized and supervised by the United Nations in co-operation with the Organization of African Unity,

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1/ For the text, see General Assembly resolution 38/40, para. 1.

READEX FICHE

Recalling further Security Council resolution 621 (1988) of 20 September 1988 concerning the question of Western Sahara,

Noting with satisfaction the appointment on 19 January 1990 of Mr. Johannes Manz as Special Representative of the Secretary-General for Western Sahara,

Having examined the relevant chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 2/

Having also examined the report of the Secretary-General, 3/

Reiterating its support for the joint good offices process initiated in New York on 9 April 1986 by the then Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations with a view to promoting a just and definitive solution of the question of Western Sahara, in accordance with resolution AHG/Res.104 (XIX) and General Assembly resolution 40/50 of 2 December 1985,

1. Takes note with appreciation of the report of the Secretary-General;

2. Reaffirms that the question of Western Sahara is a question of decolonization which remains to be completed on the basis of the exercise by the people of Western Sahara of their inalienable right to self-determination and independence;

3. Welcomes with satisfaction the report submitted by the Secretary-General to the Security Council on the situation concerning Western Sahara, 4/ which was unanimously approved by the Council in its resolution 658 (1990) of 27 June 1990;

4. Notes with appreciation the dispatching to Western Sahara and to neighbouring countries of the technical mission in order to refine the administrative aspects of the outlined plan 5/ and to obtain the necessary information for the preparation of a further report of the Secretary-General to the Security Council containing, in particular, an estimate of the cost of the United Nations Mission for the Referendum in Western Sahara;

5. Expresses its full support for the efforts of the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and

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2/ A/45/23 (Part VI) and (Part VI)/Corr.1, chap. IX.

3/ A/45/644 and Corr.1.

4/ S/21360.

5/ Ibid., part II.

the Secretary-General of the United Nations to promote a just and definitive solution of the question of Western Sahara, in accordance with General Assembly resolution 40/50;

6. Urges the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations to continue and intensify their efforts with a view to resolving the remaining problems and thus to fulfil the necessary conditions for the holding of a referendum for self-determination of the people of Western Sahara, without any administrative or military constraints, organized and supervised by the United Nations in co-operation with the Organization of African Unity;

7. Reaffirms its conviction that the direct dialogue between the two parties to the conflict could contribute to the completion of the joint good offices process of the current Chairman of the Assembly of Heads of State and Government of the Organization of African Unity and the Secretary-General of the United Nations, to the restoration of peace in Western Sahara and to stability and security in the whole region;

8. Appeals once again to the Kingdom of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to display the co-operation and the political good will necessary for the completion of the peace process with a view to a speedy settlement of the question of Western Sahara;

9. Requests the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples to continue to consider the situation in Western Sahara as a matter of priority and to report thereon to the General Assembly at its forty-sixth session;

10. Invites the Secretary-General of the Organization of African Unity to keep the Secretary-General of the United Nations informed of the progress achieved in the implementation of the decisions of the Organization of African Unity relating to Western Sahara;

11. Invites the Secretary-General to follow the situation in Western Sahara closely with a view to the implementation of the present resolution and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fourth Committee (A/45/685 and Corr.1)]

45/22. Question of New Caledonia

The General Assembly,

Having considered the question of New Caledonia,

Having examined the chapter of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia, 1/

Reaffirming the importance of the universal realization of the right of peoples to self-determination,

Recalling its resolutions 1514 (XV) of 14 December 1960 and 1541 (XV) of 15 December 1960,

Noting the positive measures that continue to be pursued in New Caledonia by the French authorities, in co-operation with all sectors of the population, to promote political, economic and social development in the Territory, in order to provide a framework for its peaceful progress to self-determination,

Acknowledging the close links between New Caledonia and the peoples of the South Pacific and the positive actions of the French authorities to facilitate the further development of those links,

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1/ See A/45/23 (Part VI) and (Part VI)/Corr.1, chap. IX.

1. Approves the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to New Caledonia; 2/

2. Urges all the parties involved, in the interest of all the people of New Caledonia, to maintain their dialogue in a spirit of harmony;

3. Invites all the parties involved to continue promoting a framework for the peaceful progress of the Territory towards an act of self-determination in which all options are open and which would safeguard the rights of all New Caledonians;

4. Requests the Special Committee to continue the examination of this question at its next session and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990

2/ Ibid., sect. B.3.

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RESOLUTION ADOPTED BY THE GENERAL ASSEMBLY

[on the report of the Fourth Committee (A/45/685 and Corr.1)]

45/23. Question of Anguilla

The General Assembly,

Having considered the question of Anguilla,

Having examined the relevant chapters of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, 1/

Recalling its resolution 1514 (XV) of 14 December 1960, containing the Declaration on the Granting of Independence to Colonial Countries and Peoples, and all resolutions and decisions of the United Nations relating to Anguilla, including in particular General Assembly resolution 44/94 of 11 December 1989,

Conscious of the need to ensure the full and speedy implementation of the Declaration in respect of the Territory,

Having heard the statement of the representative of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, 2/

1/ A/45/23 (Part III), chap. IV; A/45/23 (Part IV), chap. V; and A/45/23 (Part VI) and (Part VI)/Corr.1, chap. IX.

2/ See A/C.4/45/SR.12.

Recalling the results of the general elections of February 1989 and the statement of the Chief Minister that the Government of Anguilla had no intention of moving towards independence during its current term of office,

Bearing in mind the stated policy of the Government of the United Kingdom, the administering Power, that it remains ready to respond positively to the express wish of the people of the Territory on the question of independence, 3/

Noting that the Government of the United Kingdom has agreed to several of the constitutional changes recommended by the Anguilla House of Assembly and that those agreed upon have been referred to the legal advisers of the Foreign and Commonwealth Office, who were instructed to begin work on the amendments, and that in January 1990 a territorial government delegation visited London to discuss the amendments to the Constitution,

Noting that the administering Power has not changed its position regarding the restriction, or delegation to ministers of the territorial Government, of any or all of the Governor's special responsibilities without setting a time-frame for independence,

Aware of the special circumstances of the geographical location and economic conditions of the Territory, and bearing in mind the necessity of diversifying and strengthening further its economy as a matter of priority in order to promote economic stability,

Reaffirming the responsibility of the administering Power to promote the economic and social development of the Territory,

Expressing its concern at the continued illegal operation of foreign fishing vessels within the territorial waters of Anguilla, and welcoming the measures taken by the territorial Government and the Organization of Eastern Caribbean States to protect and conserve marine resources and to control the activities of foreign fishermen operating illegally in the area,

Stressing the importance of an efficient and effective civil service, and noting the measures being taken by the territorial Government aimed at alleviating the problem of unemployment and providing increased job opportunities,

Noting with concern the vulnerability of the Territory to drug trafficking and related activities,

Noting the contribution to the development of the Territory by specialized agencies and other organizations of the United Nations system, in particular the United Nations Development Programme, as well as regional institutions such as the Caribbean Development Bank,

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3/ A/AC.109/944 and Corr.1, para. 17.

Recalling that in 1987 Anguilla became a member of the Eastern Caribbean Central Bank and that it continues to participate and maintain an active interest in the related activities of other regional organizations,

Recalling also the dispatch in 1984 of a United Nations visiting mission to the Territory,

Mindful that United Nations visiting missions provide an effective means of assessing the situation in the Non-Self-Governing Territories, and considering that the possibility of sending a further visiting mission to Anguilla at an appropriate time should be kept under review,

1. Approves the section of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples relating to Anguilla; 4/

2. Reaffirms the inalienable right of the people of Anguilla to self-determination and independence in conformity with the Declaration on the Granting of Independence to Colonial Countries and Peoples;

3. Reiterates the view that such factors as territorial size, geographical location, size of population and limited natural resources should in no way delay the speedy exercise by the people of the Territory of their inalienable right to self-determination and independence in conformity with the Declaration, which fully applies to Anguilla;

4. Reiterates that it is the responsibility of the United Kingdom of Great Britain and Northern Ireland, as the administering Power, to create such conditions in the Territory as will enable the people of Anguilla to exercise freely and without interference their inalienable right to self-determination and independence in accordance with resolution 1514 (XV) and all other relevant resolutions of the General Assembly;

5. Reaffirms that it is ultimately for the people of Anguilla themselves to determine freely their future political status in accordance with the relevant provisions of the Charter of the United Nations and the Declaration, and in that connection reaffirms the importance of fostering an awareness among the people of the Territory of the possibilities open to them in the exercise of their right to self-determination and independence;

6. Calls upon the administering Power to continue, in co-operation with the territorial Government, to strengthen the economy and to increase its assistance to programmes of diversification;

7. Urges the administering Power, in co-operation with the territorial Government, to continue the assistance necessary to increase employment of the local population in the civil service and other sectors of the economy;

4/ A/45/23 (Part VI) and (Part VI)/Corr.1, chap. IX, sect. B.5.

8. Also urges the administering Power, in co-operation with the territorial Government, to take effective measures to safeguard and guarantee the inalienable right of the people of Anguilla to own and dispose of the natural resources of the Territory, including marine resources, and to establish and maintain control over the future development of those resources, and in this connection takes note of reports of the possible sale of one of Anguilla's offshore islands to an international group of bankers;

9. Calls upon the administering Power to continue to take all necessary measures, in co-operation with the territorial Government, to counter problems related to drug trafficking;

10. Invites the specialized agencies and other organizations of the United Nations system to continue to take all necessary measures to accelerate progress in the social and economic life of the Territory;

11. Reiterates its request to the administering Power to continue to make every effort to facilitate and encourage the participation of the Territory in regional and international organizations;

12. Requests the Special Committee to continue the examination of this question at its next session, including the possible dispatch of a further visiting mission to Anguilla at an appropriate time and in consultation with the administering Power, and to report thereon to the General Assembly at its forty-sixth session.

44th plenary meeting
20 November 1990